

FINDER'S PREFERENCE PROGRAM

Case Tracking

Case Number: 96F215

Finder: Applied Technology Group, Inc.

Target: Carrier Communications

Call Sign: WPCM497

Radio Service: GX

Date FPR Filed: 6/20/96

Purge/Date Code Entered:

Station Type:

*Conventional SMR- cannot file finders
against SMR services.
7-8-96
Jen*

14-21



APPLIED TECHNOLOGY GROUP INC.

PERSONAL COMMUNICATIONS SERVICES

4440 Easton Drive
Bakersfield, CA 93309
(805) 322-8650
(805) 322-4060 FAX

June 18, 1996

Federal Communications Commission
Gettysburg PA 17325

RE: Request for Finder's Preference

Gentlemen:

Pursuant to Section 90.173(k) of the Federal Communications Commission's Rules, Applied Technology Group, Inc. hereby requests the award of a Finder's Preference for the use of the frequencies 851.2375 MHZ and 854.1625 MHZ in the Bakersfield California area.

The evidence supporting this request is as follows. The target licensee is Carrier Communications, call sign WPCM497 with the licensed transmitter location at:

Mount Adelaide, Bakersfield Kern, CA
35-26-20/118-44-23

The license was granted on August 9, 1993, and was due for construction no later than August 9, 1994. Pursuant to Rule Section 90.633 (d) and 90.631 (e), construction of these facilities have not met the construction date at the licensed location. The appropriate time 180 days after the final construction date has passed, thus a timely filing is allowed.

Enclosed is a letter from Maple Leaf Communications, manager of the Mt. Adelaide , Bakersfield CA site that the system was to be constructed and have not been placed in operation per the appropriate rules. We have also monitored the above listed channels for over eight months and there has been no activity or station identification. The absence of activity confirms that the system is not in operation in this area.

For all of the foregoing reasons, we request the Commission to determine that Carrier Communications is in non-compliance and the awarding of the above mentioned frequencies should be made to Applied Technology Group.

I declare, under penalty of perjury that the foregoing is true and correct. Executed on June 18, 1996.

George S. Gillam

14-4
143

MAPLE LEAF COMMUNICATIONS
4580 State Rd.
Bakersfield, CA 93308

6-13-86

GEORGE -

WE HAVE NO RECORD OF THE
FOLLOWING FREQ. INSTALLED ON
MT. ADELAIDE

1. 852.1875
2. 852.7625
3. 852.9875
4. 853.3375
5. 853.3625
6. 853.5375
7. 853.8125
8. 854.0375
9. 854.1625
10. 854.3875
11. 851.2375

C. Neufeld

RADIO STATION LICENSE

Licensee Name: CARRIER COMMUNICATIONS

Radio Service: GX CONVENTIONAL SMR

License Issue Date: 930809

Call Sign: WPCM497

File Number: 9301618165

License Expiration Date: 980809

Frequency Advisory No: 923080043

Number of Mobiles by Category: Vehicular - **71** Portable - ***** Aircraft - ***** Marine - ***** Pagers *****

930809N 692 1 1Z

CARRIER COMMUNICATIONS
LICENSING SECTION
42326 10TH ST W
LANCASTER

CA 93534

Station Technical Specifications

FCC I.D.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Eleva	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1:	851.23750	FB2C 1		20K0F3E	60.000	156.000	3525	120	35-26-20	118-44-23
								HAAT	1238	
	854.16250	FB2C 1		20K0F3E	60.000	156.000				
	806.00000-MO	71		20K0F3E	35.000	35.000				
	821.00000									

TRANSMITTER STREET ADDRESS

CITY

COUNTY

STATE

1: MOUNT ADALAIDE

BAKERSFIELD

KERN

CA

AREA OF OPERATION

SITE 1: 70 MIRA 35-26-20N 118-44-23W BAKERSFIELD KERN CA

CONTROL POINTS: 42326 10TH ST W LANCASTER CA: ASSOCIATED CONTROLS AND MOBILES
OPERATING UNDER THIS AUTHORIZATION AND LICENSED TO USERS OF THIS SMR FACILITY

CONTROL POINT PHONE: 805-945-5448

STATION CLASS SUFFIX C = INTERCONNECT

STATION CLASS SUFFIX J = TEMPORARY WITH INTERCONNECT

STATION CLASS SUFFIX K = STAND-BY WITH INTERCONNECT

STATION CLASS SUFFIX L = ITINERANT WITH INTERCONNECT

EMISSION DESIGNATOR(S) CONVERTED TO CONFORM TO DESIGNATOR(S)
SET OUT IN PART 2 OF THE COMMISSION'S RULES.

PAGE 1 OF 1

FEDERAL
COMMUNICATIONS
COMMISSION

This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within one year.

P 020 156 723


**Report for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to <i>George S. Gillam</i>	
Street and No. <i>4440 Easton Drive</i>	
P.O. State and ZIP Code <i>Bakersfield CA 93309</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing To Whom & Date Delivered	
Return Receipt Showing to Whom Date, and Addressee's Address	
TOTAL Postage & Fees	\$ <i>1.95</i>

PS Form 3800, June 1991

Federal Communications Commission
Gettysburg, Pennsylvania 17325

90F215

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the
following services (for an
extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

George S. Gillam
Applied Technology Group, Inc.
4440 Easton Drive
Bakersfield, CA 93309

4a. Article Number*P C 20 156 723***4b. Service Type**

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery*7/13/90***5. Received By: (Print Name)****8. Addressee's Address (Only if requested and fee is paid)****6. Signature: (Addressee or Agent)**

X *G. S. Gillam*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

14-7

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the receipt in the right of the return address leaving the receipt attached and present the article in a postage window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the receipt stub in the right of the return address of the article, data, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number on your address and address on a return receipt card, Form 3811, and attach it to the front of the article by one of the gummed ends if space permits. Otherwise, affix a post office label from outside the return receipt and return receipt REQUESTED adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the receipt.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If a return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.
- 102595-93-Z-0478

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certificate number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the provided string. The receipt card must be placed in front of the article and must be turned in with the article. **DO NOT WRITE OR SIGN ANYTHING ON THE RECEIPT CARD.** If you do not want a return receipt, place the receipt card in the envelope with the article. **DO NOT WRITE OR SIGN ANYTHING ON THE RECEIPT CARD.**

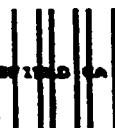
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, **endorse RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. Return receipt in requested. Check the applicable blocks in item 1 of Form 3811.

8. Save this receipt and present it if you make inquiry.

102595-93-Z-0478

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

● Print your name, address, and ZIP Code in this box ●

Federal Communications Commission SEP 1996
Gettysburg, Pennsylvania RECEIVED
17325 FCC



إِنَّمَا أَمْرُهُ إِذْ يَقُولُ لِلْمَلَكِ أَتِي بِكِتَابٍ

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

JAN 31 1994

In Reply Refer To:
Compliance File No. 94G001

VIA REGULAR MAIL & CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

James A. Kay, Jr.
P.O. Box 7890
Van Nuys, CA 91409

Dear Mr. Kay:

The Commission has received complaints questioning the construction and operational status of a number of your licensed facilities. Specifically, the complaints allege that numerous facilities licensed to you are on U.S. Forest Service land, but do not have the requisite permits for such use. The presumption is that those facilities were not constructed and made operational as required by the Commission's rules and therefore, the licenses have canceled. In addition, the Commission has also received complaints questioning the actual loading and use of your facilities. The complaints allege that the licensed loading of the facilities does not realistically represent the actual loading of the facilities, thereby resulting in the warehousing of spectrum.

Based upon these allegations, we need more information to determine whether you are qualified to be a Commission licensee. We are authorized to request this information pursuant to the Communications Act of 1934, as amended, 47 U.S.C. Section 308(b). Failure to respond timely, completely, and truthfully could result in initiation of revocation proceedings against your licenses.

(1) List alphabetically the call signs and licensee names of all facilities owned or operated by you or by any companies under which you do business. Annotate those facilities which are located on U.S. Forest Service land.

(2) Provide for each call sign listed in (1), the original date of grant of the call sign, the date the licensed station was constructed and placed in operation, and the type of facility.

(3) Provide a copy of the U.S. Forest Service permit for those facilities constructed and made operational on U.S. Forest Service lands in order of the list of call signs in (1). The permit should clearly indicate when such use was authorized.

(4) For those facilities which are authorized on U.S. Forest Service lands, but for which you do not hold a permit, please explain the reason why a permit has not been obtained.

(5) For each station shown in (1) include a user list. The list must include the user name, business address and phone number, and a contact person, along with the number of mobile units and for trunked systems, the number of control stations, operated by the user. Users operating on multiple systems under (1) above should be annotated to identify all such systems and should be appropriately cross indexed.

(6) For each station in (1), please list the total number of units operated on each station. Such demonstration of use must be substantiated by business records.

Please send your reply to: Federal Communications Commission,
1270 Fairfield Road, Gettysburg, PA 17325-7245, Attention:
Compliance - Room 41.

You are requested to furnish this information within 60 days of the date of this letter. Your attention is directed to Title 18, U.S.C. Section 1001, in which Congress has determined that a wilful false reply to a letter of this type may result in fine or imprisonment.

Sincerely,



W. Riley Hollingsworth
Deputy Chief, Licensing Division

amw/kay12/rah

FEDERAL COMMUNICATIONS COMMISSION
Gettysburg, PA 17326
October 2, 1992

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

American Eagle Productions
1733 S. Douglas Road #6
Anaheim, CA 92806

Re: Call Sign WIG988

Dear Licensee:

The Commission has been informed that the above-captioned radio system may no longer be in operation. Our Rules require the licensee of a station which has permanently discontinued operation to forward the license to the Commission for cancellation. 47 CFR Sec. 90.157. Any station which has not operated for more than one year is considered to have been permanently discontinued.

Please inform us within 30 days of the date of this letter as to whether you have permanently discontinued operation. We are authorized to request this information pursuant to the Communications Act of 1934, as amended, 47 U.S.C. Sec. 308(b). If your system has ceased operation, please forward the station license to our office. Alternatively, you may notify the Commission by checking the appropriate box on FCC Form 405-A that your station has discontinued operation and that you request license cancellation. If, however, you are using these facilities, please provide the dates that your facilities were constructed and operational. Licensees whose licenses are due for renewal and who have received an FCC Form 574-R in the mail may use the appropriate box on that Form to notify the Commission that station operation has discontinued and that the license should be cancelled.

When responding to this office, please verify that the above-listed mailing address for your system is correct. If we do not hear from you within 30 days, your license will be cancelled without any other correspondence generated by this office. Please send your reply to: Federal Communications Commission, Gettysburg, Pa. 17326, Attention: Compliance - Room 41. If you have any questions, you may telephone our legal staff at (717) 337-1311, extension 132 or 133.

Sincerely,

W. Riley Hollingsworth
W. Riley Hollingsworth
Deputy Chief, Licensing Division

hand

FEDERAL COMMUNICATIONS COMMISSION
Gettysburg, PA 17325-7245

92 L701

November 16, 1992

American Eagle Productions
1733 S. Douglas Road #6
Anaheim, CA 92806

Re: Call Sign WIG988

Dear Licensee:

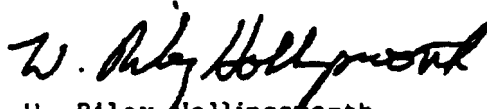
The Commission has been informed that the above-captioned radio system may no longer be in operation.

On October 2, 1992, we forwarded a letter to you by certified mail, requesting information about this radio system. Our October 2, 1992 letter has been returned to us by the Post Office, for failure to be picked up by you, the addressee.

We have attached a copy of our October 2, 1992 information request. Please inform us within 30 days of the date of this letter (i.e., 30 days from November 16, 1992) as to whether you have permanently discontinued operation. Please provide the documentation requested in our attached letter when responding to us. Please remember that if you are using these facilities, you must provide us with the dates that your facilities were constructed and operational.

If we do not hear from you within 30 days, your license will be cancelled without any other correspondence generated by this office.

Sincerely,



W. Riley Hollingsworth
Deputy Chief, Licensing Division

FEDERAL COMMUNICATIONS COMMISSION
Gettysburg, PA 17325-7245

March 29, 1994

Ralph Thompson dba
Thompson Tree Service
8661 Beechwood Drive
Alta Loma, CA 91701

Re: Call Sign WIH275
Compliance File No. 93L778

Dear Licensee:


The Commission has been informed that the above-captioned radio system may no longer be in operation.

On December 27, 1993, we forwarded a letter to you by certified mail, requesting information about this radio system. To date, we have not received a response to this letter.

We have attached a copy of our December 27, 1993 information request. Please inform us within 20 days of the date of this letter (i.e., 20 days from March 29, 1994), as to whether you have permanently discontinued operation. Please provide the documentation requested in our attached letter when responding to us. Please remember that if you are using these facilities, you must provide us with the dates that your facilities were constructed and operational.

As stated in Mr. Hollingsworth's attached letter, if we do not hear from you within 20 days, your license will be cancelled without any other correspondence generated by this office.

Sincerely,


Anne Marie Wypijewski
Attorney, Licensing Division

Enclosures

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

DEC 27 1993

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ralph Thompson dba
Thompson Tree Service
8661 Beechwood Drive
Alta Loma, CA 91701

Re: Call Sign WIH275
Compliance File No. 93L778

Dear Licensee:

The Commission has been informed that the above-captioned radio system may no longer be in operation. Our Rules require the licensee of a station which has permanently discontinued operation to forward the license to the Commission for cancellation. 47 CFR Sec. 90.157. Any station which has not operated for more than one year is considered to have been permanently discontinued.

Please inform us within twenty (20) days of the date of this letter as to whether you have permanently discontinued operation. If your system has ceased operation, please forward the station license to our office. Alternatively, you may notify the Commission by checking the appropriate box on FCC Form 405-A (enclosed), which states that your station has discontinued operation and that you request license cancellation. If you are using these facilities, please provide the dates that your facilities were constructed and operational. Licensees whose licenses are due for renewal and who have received an FCC Form 574-R in the mail may use the appropriate box on that form to notify the Commission that station operation has discontinued and that the license should be cancelled.

We are authorized to request this information pursuant to the Communications Act of 1934, as amended, 47 U.S.C. Sec. 308(b).

When responding to this office, please verify that the above-listed mailing address for your system is correct. If we do not hear from you within 20 days, your license for the above-captioned station will be cancelled without any other correspondence generated by this office. Please send your reply to: Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245, Attention: Compliance - Room 41. If you have any questions, you may telephone our legal staff at (717) 337-1311, extension 133.

Your attention should be directed to Title 18, U.S.C. Section 1001, in which Congress has determined that a wilful false reply to a letter of this type may result in fine or imprisonment.

Sincerely,



W. Riley Hollingsworth
Deputy Chief, Licensing Division

amw/thompson/rah

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

JAN 19 1996

VIA REGULAR & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marc Sobel
Air Wave Communications
15705 Superior Street
North Hills, CA 91343

Re: Request for Information
Pursuant to 308(b) of the
Communications Act

Dear Mr. Sobel:

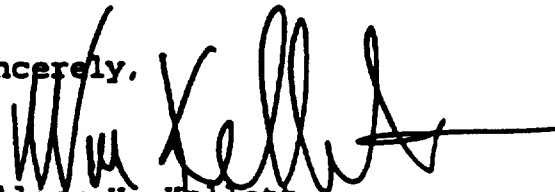
As you are undoubtedly aware, the Commission designated the licenses of James A. Kay, Jr. for hearing to resolve issues which may result in the revocation of some or all of his licenses. (See attached order.) At the time of designation, the Commission believed that because of your close business relationship with Mr. Kay, some of your licenses were in fact controlled by Mr. Kay. Mr. Kay has asserted that this was in error.

In order to expeditiously resolve this question, we request, pursuant to the authority vested in the Commission by 47 U.S.C. § 308(b) that you provide further written statements of fact including:

- 1) A list of FCC licenses held by you and/or entities in which you own an interest;
- 2) a list of end users (by call sign) operating on your stations and the number of mobile transmitters being operated; and
- 3) a written statement relating the details of your business association with Mr. Kay.

We request that you provide this information within 45 days of the date of this letter.

Sincerely,



William H. Kellett
Attorney
Office of Operations - Gettysburg

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

JUN 11 1996

VIA REGULAR & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert J. Keller, P.C.
Suite 200
2000 L Street, N.W.
Washington, DC 20036

Re: Marc Sobel
Request for Information
Pursuant to 308(b) of the
Communications Act

Dear Mr. Keller:

As you are aware, the Commission designated the licenses of James A. Kay, Jr. for hearing to resolve issues which may result in the revocation of some or all of his licenses. At the time of designation, the Commission believed that because of Mr. Sobel's business relationship with Mr. Kay, some of his licenses were in fact controlled by Mr. Kay. Mr. Kay has asserted that this was in error. We requested that the Commission delete the Sobel licenses from the list designated in order to permit the Bureau to conduct a nonadjudicatory investigation of the relationship. (See attached Order at paragraph 5.)

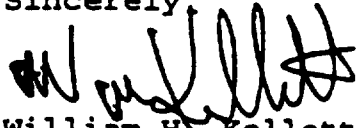
In order to expeditiously resolve this question, we request, pursuant to the authority vested in the Commission by 47 U.S.C. § 308(b), that Mr. Sobel provide further written statements of fact including:

- 1) A list of FCC licenses held by Mr. Sobel and/or entities in which he has an ownership interest;
- 2) a list of end users (by call sign) operating on his stations and the number of mobile transmitters being operated; and
- 3) a written statement relating the details of his business association with Mr. Kay, including a description of management and profit sharing agreements.

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We request that Mr. Sobel provide this information within 15 days of the date of this letter. If you have any questions regarding this matter, please contact me at (717) 338-2505.

Sincerely,



William H. Kellett

Attorney

Office of Operations - Gettysburg

whk\kellr0609.95\rah

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19-2

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

JAN 31 1994

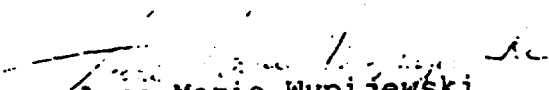
In Reply Refer To:

Cornelia Dray
Chino Hills Patrol
P.O. Box 1814
Chino, California 91708-1814

Dear Mr. Dray:

Please find enclosed for your information a copy of a letter
mailed today to James A. Kay, Jr.

Sincerely,


Anne Marie Wypijewski
Attorney, Licensing Division

Federal Communications Commission

1270 Fairfield Road
Gettysburg, PA 17325-7245

JAN 3 1 1994

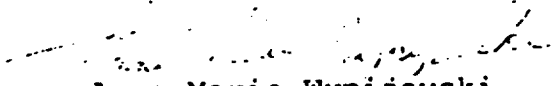
In Reply Refer To:

Gary Van Diest
Van Diest Brothers, Inc.
15315 So. Lakewood Boulevard
Paramount, California 90723

Dear Mr. Diest:

Please find enclosed for your information a copy of a letter
mailed today to James A. Kay, Jr.

Sincerely,


Anne Marie Wypijewski
Attorney, Licensing Division